Civil Service Journal

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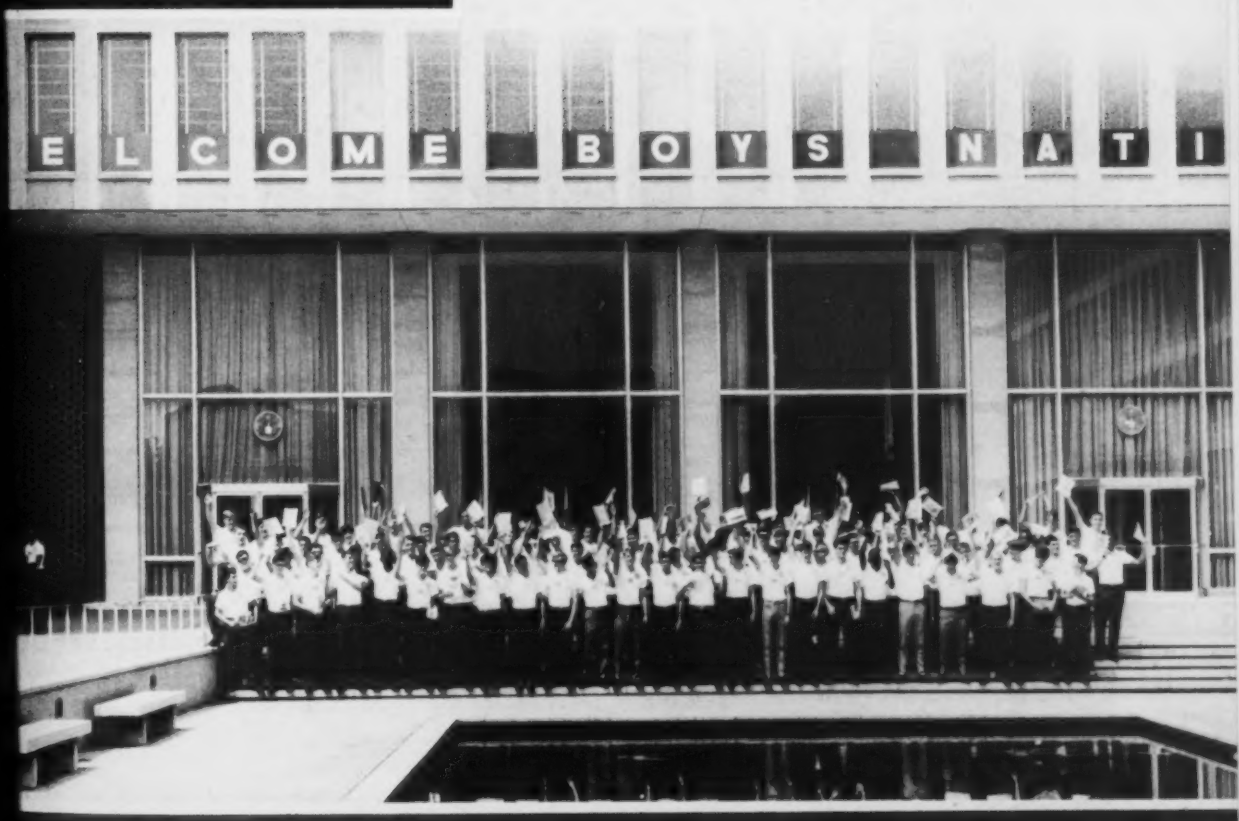

UNITED STATES CIVIL SERVICE COMMISSION

Civil Service
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U.S. Civil Service Commission

JOHN W. MACY, Jr. ..... *Chairman*
L. J. ANDOLSEK ..... *Commissioner*
ROBERT E. HAMPTON ..... *Commissioner*
NICHOLAS J. OGANOVIC
Executive Director

Worth Noting

EXECUTIVE ORDER 10988 has been in effect more than 5 years, and during this period praiseworthy improvements have been achieved in employee-management relations within the Government. But the time has come for a review of the program to insure its continued vitality. That was the substance of President Johnson's statement of September 8, 1967, in which he established a review committee to consider any adjustments now needed in provisions of the order. Chairman of the review committee is Secretary of Labor W. Willard Wirtz, and other members are: Robert S. McNamara, Secretary of Defense; Lawrence F. O'Brien, Postmaster General; Charles L. Schultze, Director of the Budget; John W. Macy, Jr., Chairman of the Civil Service Commission; and Joseph A. Califano, Jr., Special Assistant to the President. (See editorial on facing page.)

COMBINED FEDERAL CAMPAIGN fund drives are underway this year in 143 localities, compared with 101 last year. Spreading use of the CFC shows its continued strength and vitality, based on three factors: (1) CFC is preferred by employees because it represents one annual solicitation for voluntary charitable organizations. (2) The availability of payroll deductions in connection with the CFC allows payment of a pledge to be spread over a year's time. (3) The single CFC solicitation saves time and money for the Government.

In addition, past experience indicates uniformly better support under CFC for health and welfare agencies than can be gained by multiple campaigns. Including the overseas campaign of the Department of Defense, and counting both military and civilian workers, Federal employees this year will raise over $25 million for charitable purposes. In the Washington metropolitan area the goal this year is $6 million, largest in history. CSC Commissioner L. J. Andolsek is one of four key Government officials named as co-chairmen of the Washington area drive, announced by Lee C. White, Federal Power Commission Chairman, who was designated by President Johnson as chairman of the 1967 campaign.

(Continued—See Inside Back Cover)

COVER PHOTO

BOYS NATION delegates demonstrate their enthusiasm for the special 1967 program presented to them by the Civil Service Commission. They were "piped aboard" by members of the U.S. Air Force band, welcomed by Chairman John W. Macy, Jr., and addressed by Vice President Humphrey. Afterward they were luncheon guests of top Commission officials. Boys Nation, sponsored by the American Legion, is composed of two "Senators" each from the several Boys State delegations. In nearly every case, Boys Nation Senators have completed their junior year of high school.

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THE TASK AHEAD

by JOHN W. MACY, JR., *Chairman*
U.S. Civil Service Commission

EDITORIAL

THIS ISSUE of the *Journal* features three articles on labor relations in the public service, each representing an individual point of view. On one fact all three articles are in agreement: employee participation in the determination of policies governing the terms and conditions of their employment, through unions of their own choice, has in the mid-60's become—and rightfully so—a basic ingredient in public administration in the United States.

We are in full accord with this proposition. Unions are the means through which employees, public as well as private, seek the achievement of industrial democracy at their places of employment. On how this is to be accomplished, however, there are many differences of opinion.

Throughout public jurisdictions today there is a search underway for philosophy, direction, and techniques to mold the concepts of unionism into a pattern of public labor relations compatible with the special requirements of public administration and merit principles. While a good foundation has been established, we have yet a way to go.

There have been many suggestions for change.

On September 8, President Johnson named a committee headed by Secretary of Labor Willard Wirtz to conduct a public review of the program and consider the need for any adjustments "to ensure its continued vitality in the public interest."

What we need is to foster the emerging maturity of relationships on the part of both public officials and union leaders that has already become evident in the public service. We need a greater sensitivity and responsiveness to the feelings, aspirations, and interests of individual employees. We need, also, a strengthened dedication to improving the quality and the efficiency of the public service.

To meet these challenges, we have to apply an open mind, creative intelligence, research, and knowledge gained through experience and experiment. With a mutual willingness to work cooperatively, we can develop a work force with the capacity and dedication to help meet, through public administration, the goals of our society in the critical times ahead.

COMMENTARY:

LABOR-—where

by JOHN A. McCART
Operations Director
Government Employes' Council
AFL–CIO

CAREFUL OBSERVATION of the Federal Government's labor-management relations program from its inception in 1962 leads to two conclusions—

- Significant advances have been made in the effort to achieve stability in the union-management relationship.
- Progress toward maturity has been much less than envisioned in Executive Order 10988.

DRAMATIC GROWTH OF UNIONISM

The growth of unionism in the Federal Government during this period has been dramatic. In November 1961, the President's Task Force on Employee-Management Relations in the Federal Service estimated employee organization membership at 762,000. Recently, the Civil Service Commission reported slightly more than 1 million employees in exclusive units alone, as of August 1966. More than 600 contracts have been negotiated to date.

Through bargaining and consultation, union and management representatives have attained a much greater degree of sophistication in applying the philosophy of public service collective bargaining. In general, exposure of the parties to each other has stimulated mutual confidence—an essential ingredient in a continuing and effective relationship.

Understanding the motivation of proposals and counter-proposals has developed as the parties acquired greater experience with the negotiation process. Intensified training programs by unions and management have provided the basic skills necessary to arrive at acceptable and workable contract clauses.

Despite this progress, the labor relations program has not achieved the potential inherent in the policy enunciated by President Kennedy and confirmed by President Johnson.

(See McCART, page 4.)

MANAGEMENT RELATIONS do we stand?

by RICHARD J. MURPHY
Assistant Postmaster General
(Bureau of Personnel)

LET ME STATE at the outset that I believe giant strides have been made in labor-management relations in the Federal Government in the past 6 years.

Let me also state that we have a long way to go and that the smoothness or roughness of the trail will depend on the maturity and responsibility that both management and union representatives exhibit in their day-to-day relations.

Certainly there is no secret about the problem areas existing in the program today although there may be disagreement concerning how to resolve them. Generally, the problems involve the narrow scope of bargaining, the resolution of bargaining impasses, the understanding and application of consultation, and the handling and resolution of alleged unfair labor practices.

Management would welcome negotiations on pay, fringe benefits, and hours of work, normally considered to be the key issues in most collective bargaining situations, but they are not now subject to negotiations in the Federal service. Since unions are unable to bargain so-called "bread-and-butter" issues, they place greater stress on personnel policies, practices, and working conditions, digging into areas that management believes hamper its right to manage.

PHILOSOPHY OF EXECUTIVE ORDER

Be that as it may, any fair appraisal would have to conclude that collective bargaining in the Federal service has worked (even without the strike threat), perhaps not to the extent the unions would like, but indisputably the program has enabled employees to have an opportunity for greater participation in the formulation, implementation, and negotiation of policies and procedures affecting their employment. And this, after all, was the philosophy of the Executive order: the

(See MURPHY, page 5.)

by FELIX A. NIGRO
Professor of Public Administration
University of Delaware

VIEWING THE COUNTRY as a whole, public personnel administration definitely is now undergoing an important change. Exactly what form this change will take, and what the consequences for the merit principle will be, cannot clearly be discerned at this time. Yet there are unmistakable signs of benefits which can be maximized and of dangers which can be avoided if management, the employees, and the public show the proper understanding.

PRESENT SITUATION

What is happening now can be described in different ways, depending on one's point of view. Some say that public officials are giving up the old paternalism for more democratic ways of dealing with employees, others simply that unilateral determination of policies is being replaced by bilateralism, meaning joint decisionmaking by management and employee organizations.

Whatever the interpretation of past management attitudes, there is no question about the present reality, namely, that increasingly the terms of employment and, in some cases, even the determination of program policies are being negotiated with exclusive agents representing the employees—a process resembling but not identical with collective bargaining in industry. In the private sector, the use of the strike as an ultimate weapon is an integral part of collective bargaining, whereas the courts, even in the absence of legislation prohibiting public employee strikes, have ruled them illegal under the common law. The term "collective negotiations" better describes the bargaining now taking place in government, and in this brief article we will compare the developments in the Federal Government with those at the State and local levels and then conclude with a number of observations.

Critical as some of the employee leaders now are of the progress under President Kennedy's Executive Order 10988, it clearly ushered in a new era in the Federal serv-

(See NIGRO, page 7.)

McCART
(Continued from page 2.)

A HUMAN EXPERIENCE

Labor-management relations is fundamentally a human experience. Representatives of employees and agencies are not spokesmen for institutions alone. They represent people. In this sense, they must become expert in the art of human relations.

In a Government with a payroll just short of 3 million workers, with agencies offering an increasing number of complex services to the citizenry, the vastness of the system militates against adequate consideration of human relations.

The collective bargaining process provides a potent means of spotlighting the importance of human values in the entire personnel program. Union and management participants have an unusual opportunity to focus attention on the impact of problems and solutions on people as people—not just as workers whose allegiance is directed to Government as an institution.

Recognition of this important aspect of the relationship leads logically to the need for continuous reappraisal of the entire program. Care must be exercised to insure that the administration of the policy reflects the objectives of the Executive order in terms of improved public service operations and participation of employees in formulating personnel policies through their unions. Such reviews should be undertaken not only in the light of the original purposes of the order, but also in consideration of changes in conditions applicable to employees.

NEED FOR INNOVATION

One of the compelling problems is to avoid stratification in labor relations. If there is any validity to the thesis described earlier—administration of the order to meet changing needs—the parties must be free to exercise imagination and initiative. A system which fails to extend challenges to the parties to bargain on previously untried issues and to find new solutions stifles opportunities to improve Government operations. Absence of a spirit of innovation in union and management proposals will result ultimately in freezing labor relations in a static mold.

In this relationship, unions play a role which has no counterpart elsewhere in our society. In addition to their obligation to secure a larger voice for their members about the conditions surrounding their employment, they have a positive responsibility to resist the status quo. They continually press for change as a means of insuring participation of workers in the social, economic, and cultural growth of the Nation.

In the Federal sphere, this insistence on change necessitates management's understanding of the entire philosophy of the Executive order, not just its language. Unwillingness to view the document as a means of adapting to changing needs leads simply to irritation, frustration, and efforts by unions to secure substantial revision of the order or action by the national legislature.

IMBALANCE EXISTS

Inherent in the present policy is an imbalance between labor and management. While Executive Order 10988 represents a huge stride away from unilateral decisions of the past in the field of personnel policy, final decisions continue to rest with management. As long as this policy continues in effect, Government as the more powerful of the two parties must accept responsibility for a willingness to initiate change. Continued resistance simply heightens dissatisfaction and disillusionment over the failure of the basic policy to make a reality of its promise.

Persistent inflexibility can be indicative of actual animosity toward the concept of sharing with unions the right to arrive at decisions previously made by management alone. Hostility to the bargaining process by management officials breeds suspicion on the part of union representatives that good-faith negotiations cannot be attained. The confidence necessary to obtain contract clauses meaningful to both employees and agencies is seriously retarded.

Too often this hostility is disguised in recourse to "management prerogatives" when unions offer contract proposals. Admittedly, the distinction between legitimate union submissions and management rights may be blurred at times. But use of these rights as an excuse to avoid true bargaining impedes the attainment of mutual benefits available by fitting union propositions into the framework of bargainable items.

Unions have traditionally recognized the rights of management in certain areas. But application of these rights to specific work situations will continue to call for genuine negotiations.

FEDERAL EXPERIENCE OBSERVED

The Federal Government's attitude on collective bargaining with organizations of its employees cannot be viewed as an isolated experience. The growing influence of Federal activities in the life of the Nation is reflected in the sphere of labor relations also. Public jurisdictions here and abroad have observed with keen interest the Federal experience in the years following issuance of the Executive order.

Throughout the public service there is a growing awareness on the part of employees and governments alike that more efficient discharge of government responsibility requires participation by workers in the decisions that affect their status. Viewed in this light, Federal agencies and unions carry a heavy responsibility to produce a system of labor relations which can be adapted to the needs of other governmental jurisdictions desiring to utilize it.

For more than 3 years unions have proposed establish-

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McCART (Continued.)

ment of an impartial tribunal to interpret the Executive order and the auxiliary Standards of Conduct and Code of Fair Labor Practices. As an alternative, union organizations have advocated appointment of a Government body with union representation to review the course of the labor relations program to date and to offer recommendations for improving its administration.

Numerous bills have been presented to Congress prescribing in some detail the course of labor relations to be followed by the executive branch. Their contents provide evidence of the problems encountered by unions in executing their rights and obligations under the Executive order.

CHALLENGES AHEAD

These developments outline clearly where we must begin. They are manifestations of union dissatisfaction with the present state of labor relations. They express the conviction that there are basic deficiencies in the present system.

Recognition of this fact can lead to revisions which will mark the commencement of a new era in labor-management cooperation. Refusal to comprehend its significance will relegate labor relations to a secondary role in the general scheme of personnel work.

The challenge to retain the posture of the Federal Government as an enlightened employer in labor relations can be met—but only if Government moves promptly and decisively to make a reality of the commitments inherent in Executive Order 10988.

MURPHY

(Continued from page 3.)

concept that the Government's business will be conducted more effectively through orderly and constructive relationships between employee organizations and management officials.

More specifically, the labor relations program must be working fairly well because the extent of union organization, union membership, and bargaining agreements has mushroomed spectacularly. Almost 40 percent of all employees in the executive branch, or 1,054,417 employees, were covered by exclusive recognition in August 1966, according to Civil Service Commission figures. The total was 730,000 in 1964, 835,000 in 1965, and it is still rising.

The Post Office Department, with about 90 percent of its employees in exclusive units, accounts for 620,000 of the 1,054,417 figure. Dues checkoff figures are equally impressive, with 430,000 postal employees having about $11.5 million deducted from their salary for union dues annually.

POST OFFICE CONTRACTS

Contracts have been negotiated and renegotiated. The number went up from 200 in 1964 and 410 in 1965 to 598 in 1966, and it continues to rise. These figures include only the National Agreement between the Post Office Department and the seven exclusively recognized craft unions representing more than 600,000 employees; there are thousands of locally negotiated supplemental contracts at the Post Office level.

Sure, I've heard the phrase the contracts "aren't worth the paper they're printed on," but don't you believe it. Unions can't strike (and most don't want to), but they have extremely effective negotiating power deriving from their access and resort to the press, the Congress, and third-party involvement. Many decisions management previously made *unilaterally* now are subject to the *bilateral* terms of a signed contract. Grievances are subject to advisory arbitration, and so are adverse actions and alleged contract violations.

The fact that relatively little use has been made of these procedures indicates the parties are resolving their differences without resorting to third-party involvement.

In the Post Office Department, we can and do negotiate provisions that change regulations contained in the Postal Manual, which governs field operations. In fact, we have an article in our National Agreement which proclaims the supremacy of the Agreement over the Manual.

MANAGEMENT RIGHTS

We have had our disagreements at the bargaining table, to be sure. A major problem, of course, is in the not so easily defined area of management rights. The Executive order says an agency's obligation to consult and negotiate does not extend to such areas of discretion and policy as the mission of an agency, its budget, its organization and assignment of personnel, or the technology of performing its work.

At the same time, the order says exclusive unions are entitled to negotiate with respect to personnel policy, practices, and matters affecting working conditions. Obviously, some or all of management's retained rights overlap the area designated as open to negotiations, and differences of opinion arise.

Carried to extreme either way, almost nothing or everything is negotiable. We take the view that, while we are not obligated to negotiate in certain areas, we can agree to negotiate. Thus, we have negotiated in the area of establishing eligibility of employees for promotion to initial level supervisory positions while retaining right of selection from those eligible. We have also negotiated in the area of preferred job assignment for senior qualified bidders, while insisting that com-

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MURPHY
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plement and duties remain solely a management prerogative.

We have not negotiated in the area of training, but we have agreed to bilateral monthly consultative meetings concerning training for craft employees. We have not agreed to negotiate in the area of scheme assignments (distribution of mail) for clerks, but we have agreed to joint national and local committees to consider and advise on changes in regulations concerning schemes. We have not negotiated method and means of delivering mail by carriers, but we have agreed to national meetings to consider changes in regulations.

BARGAINING IMPASSES

Bargaining impasses at the national level have been resolved by the Postmaster General, with the union position prevailing more often than that of the management negotiating team. Few, if any, of the impasses in the three previous rounds of negotiations were what would be called "strike" issues in industry, and it's doubtful if many of them would have been taken to arbitration even if such avenue were available under E.O. 10988.

Understandably, however, the unions have been unhappy with the lack of impartial, third-party involvement. Therefore, in national negotiations scheduled this fall the parties have agreed to use a mediator to attempt to resolve impasses. If this fails, the mediator is empowered to make private and confidential recommendations to the Postmaster General who will consider such recommendations as well as the written and oral presentations of union negotiators before making final decisions.

I think it is interesting to note, again in assessing the current state of labor relations, what has been happening with local negotiations in the Post Office Department. Although more than 20,000 local exclusive unions were entitled to bargain in 1966, only about 3,000 did; another 3,100 merely extended existing local contracts, and about 7,000 more signed statements that they did not wish to negotiate but would operate solely within the provisions of the National Agreement. This indicates to me that except for the larger offices the National Agreement is covering the major areas of policy and concern to employees, while the day-to-day problems are taken care of by the many and varied committees established at the local level for consultative and discussion purposes.

These channels of communication provide continual adjustment and readjustment of policies to meet changing conditions. The negotiation of 3,000 contracts in 1966 resulted in only 790 impasses, and under procedures agreed upon by the national parties all but 137 were resolved by mutual agreement between regional representatives of management and the unions involved. The remaining 137 were forwarded to the departmental level where management and national union representatives resolved 39 more. Most of those remaining dealt with distribution or handling of mail, assignment of employees, discipline, and work schedules and training—matters on which labor and management have considerable differences of opinion concerning their negotiability under the Executive order.

PARADOX IN CONSULTATION

It is perhaps paradoxical that the area in which labor and management have made the greatest strides is also an area of considerable disagreement and concern. I refer to consultation. In the Department, for example, we have established forums for every facet of personnel policies, practices, and working conditions—joint training, safety and health, mechanization, schemes, city delivery service and uniforms committees, monthly labor-management committees, and almost daily meetings concerning proposed Department issuances.

Yet the parties seem to be drifting apart on this issue. Management feels union representatives want to turn every meeting called to exchange information into a consultation meeting and every consultation meeting into negotiations, thus delaying issuance of regulations, policy implementation, and instructions to field management. Union representatives feel management gives lip-service to consultation, going through the form of meetings, but not listening to or considering union views.

This certainly is an area that will require the utmost cooperation and understanding by both labor and management in the months ahead. Both parties are groping for a relationship and are achieving it, although the pace may not be fast enough to suit everyone.

Of particular concern to unions is resolution of alleged unfair labor practices and repeated contract violations. While I emphatically disagree with the unions' proposed "cure"—punitive action against management representatives—I believe this could well be an area for third-party involvement.

The very fact that unions aren't totally satisfied with the program is an indication of the strides they have made. There has been a diminution of paternalism and a stronger institutional identity of unions as unions and management as management. There has been general maturing on both sides of the bargaining table.

The record is not perfect on either side, of course. It is disheartening to negotiate appeal procedures only to have some unions attempt to circumvent such procedures. It is disheartening to consult on proposed changes in policy, make changes based on union views,

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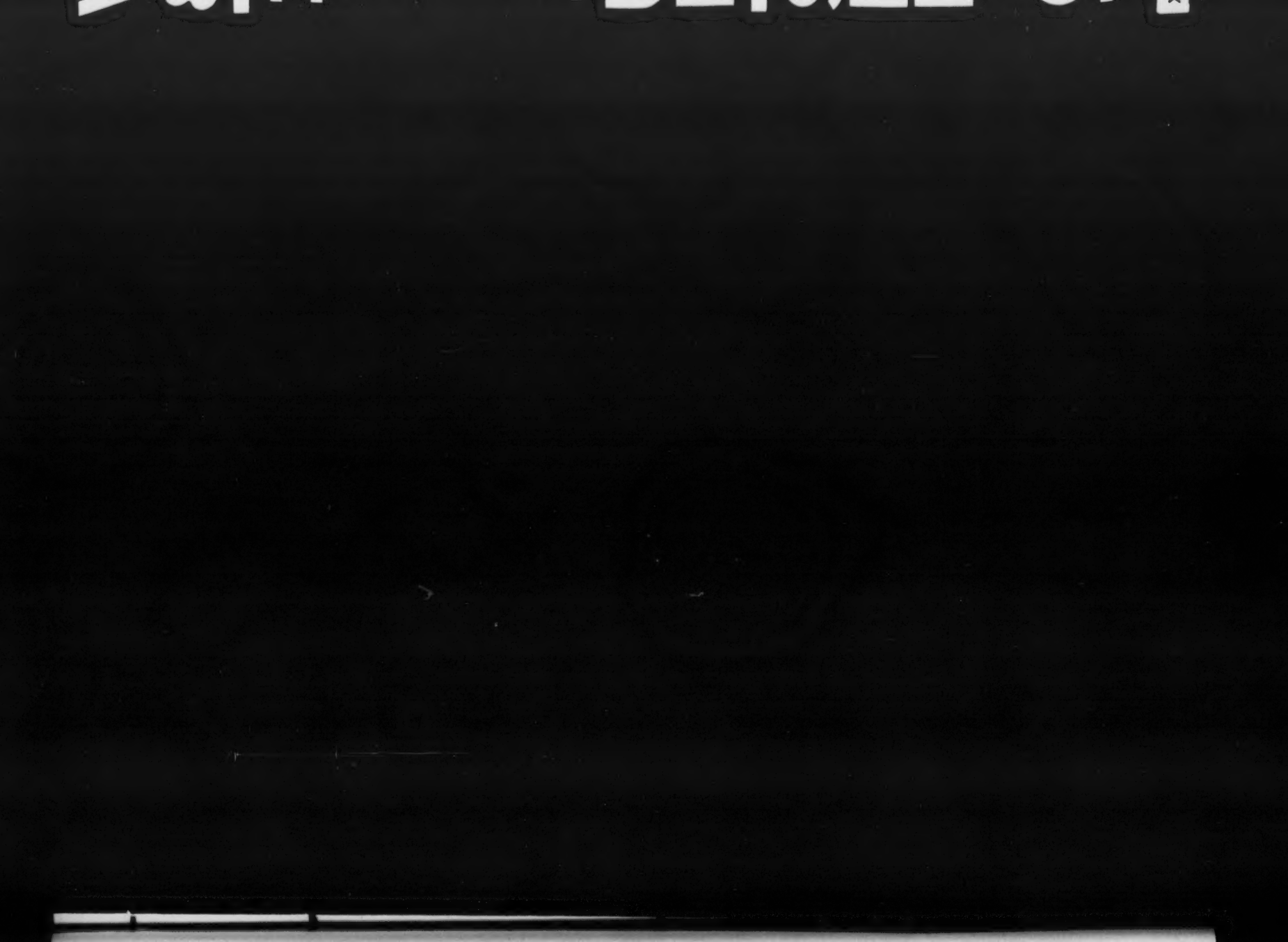

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then with the ink hardly dry, be faced with new requests for policy revisions in the guise of "clarification." It is disheartening to see some unions publicly deriding an agency's service to the public (as differentiated from taking issue with the labor relations implications of such alleged shortcomings in service). This is akin to the United Auto Workers publicly ridiculing the quality of General Motors products.

GREAT STRIDES IN SHORT TIME

Despite these problems, and I'm sure union representatives have a similar list of their pet gripes about management, no one would have dreamed such great strides would be made in so short a period of time after E.O. 10988 was issued. Certainly these advances and the relative harmony with which they have been accomplished outstrip the record of private industry under the National Labor Relations Act during a similar period of its infancy.

The future can be equally rewarding if Federal managers and union leaders alike continue to work together for necessary refinements and additions to the program which changing conditions will require. I am confident representatives of both parties possess the maturity and sense of responsibility to accomplish their mutual goals of improved Government service and equitable personnel policies, practices, and working conditions.

NIGRO

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ice. For the first time, the positive policy was established of dealing with the employees through their own organizations, instead of with each worker individually. This has contributed greatly to the strength of the employee organizations. Prior to the Kennedy order, these organizations had to deal mostly with Congress because they generally had no significant role with the agency managements, but now they are in constant contact with agency officials on important matters.

STATE AND LOCAL EXPERIENCE

Personnel administration has largely become relationships with organized employees, and the Federal example undoubtedly has influenced many State and local jurisdictions to embark on programs of collective negotiations.

The difference is that in quite a few such jurisdictions the scope of the bargaining is much wider because it includes wages and fringe benefits, and also that in some of them the union shop has been recognized. Furthermore, as every reader of the newspapers knows, there has been a flurry of strikes, and there have been threatened mass resignations, "sick call-ins," and other thinly disguised strike actions in many different places. Binding arbitration of grievances is also provided in many of the State and local contracts, whereas under the Kennedy order advisory arbitration only is permitted and to date has not been employed much. Finally, some of the contract provisions contain threats to the merit principle not yet seen at the Federal level.

THREAT TO THE MERIT SYSTEM

In New Castle County, Del., where I live, the first contract signed with a local of the American Federation of State, County, and Municipal Employees provided that all vacancies should be posted on employee bulletin boards and that "the employee with necessary ability or qualifications and greatest seniority making such application shall be appointed" to fill the position. A rejected employee could appeal his case under the grievance procedure, ultimately to binding arbitration, so that the preservation of the merit system established by county ordinance depended upon the determinations of outside arbitrators. While such a procedure satisfies employee fears that the "management-dominated" Personnel Director and Personnel Board will not make unbiased determinations on the grievances, it puts the definition of merit, and, indeed, much of the administration of the personnel programs, in the hands of the arbitrators.

The contract clause quoted above does not provide for true competition in filling promotions; it clearly violated the merit system ordinance and rules, but still it was signed by the local governing body, then known as the Levy Court. No taxpayer presented himself to start a suit challenging the legality of these contract provisions, and the experience to date strongly suggests that citizen challenges of this type are unlikely.

NEW CONTRACT

Now we have a new contract which, while better because it states that "positions will be filled from a certified eligible list of the highest three qualified candidates as determined by examination or by other appropriate and valid selection techniques," also stipulates that "seniority and experience shall receive a very appropriate weight as a promotional factor"—whatever that means. Similarly, although it is "agreed" that "the continuous overseeing of personnel policies, procedures, and programs by the Personnel Board and the Personnel Director designed to retain and improve the merit system for New Castle County government" are "not subject to collective bargaining," it is also stated that "classification procedures, discipline, performance evaluations, and appointment procedures shall be subject to grievance procedures."

These are contradictory and vague provisions which, inevitably, will require many grievances to be carried to binding arbitration, with the arbitrators reviewing and making final determinations on the technical personnel program. While it is conceivable that they will make

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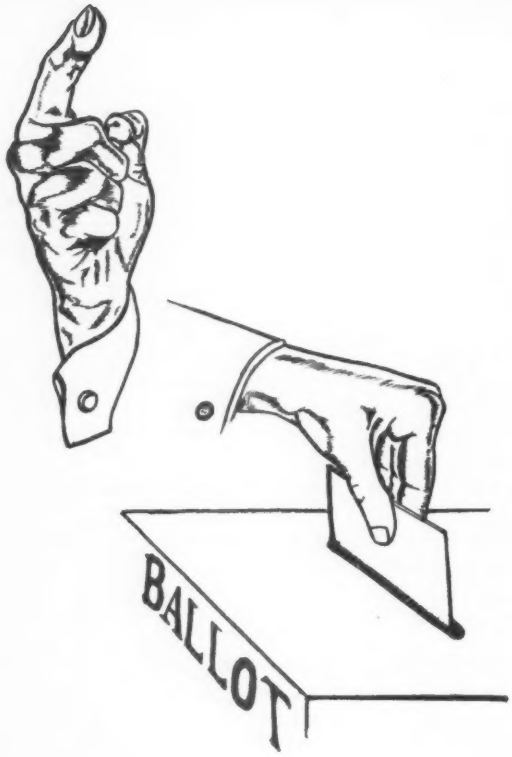

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sound and consistent rulings and that the merit principle will be preserved, the dangers are great that they will not.

Some employee organizations want to include all personnel policies and procedures in the contract, and, if allowed to do so, this gives them the opportunity to redefine the concept of "merit" in accordance with their long-standing adherence to such measures of personal worth as seniority.

The problem of conflict with the existing merit system is taken care of by including such a provision as that in the New Castle County contract which excludes from collective bargaining only those provisions of the civil service ordinance and rules and regulations which are not "inconsistent with the terms of this Agreement." In other words, if the contract contains a clause which does conflict, then it will be considered to have been properly negotiated; otherwise, the merit system law and rules remain untouched. Again, it is up to the taxpayer (apparently mythical) to challenge the legality of this method of resolving conflicts between the contract and the existing merit provisions.

THE UNRESOLVED QUESTION

The purpose in referring to the Delaware experience is not to imply that the program under the Kennedy order is bad but not as bad as that in some State and local governments. My own evaluation is that there have been solid gains in the new policy of collective dealings and that this revolution in management-employee relations has greatly benefited the Federal service as a whole.

The unresolved question is how to reconcile the demands of the employee leaders, chafing for more progress, with retention of the merit principle. The Delaware experience in my opinion clearly reveals that there is a real, not an imaginary, threat to the merit principle in the points of view of some of the employee organizations.

The challenge is to persuade them to drop those demands which, if accepted, will weaken and perhaps ultimately break down the established merit systems completely. The price of fairness to the employee should not be invalidation of public policy as expressed in laws reflecting the citizens' views as to personnel policies in the public service.

BENEFITS AND PERILS

Recently a labor relations specialist told me that civil service was "cold turkey," meaning that it had not lived up to the justifiable expectations of the employees. Certainly, there is much truth to this, but the answer is to improve the merit system and not to throw out the merit principle.

The great advantage of the collective negotiations movement is that it is giving the agency managements and the personnel people a jolt they have long needed. The employee organizations are speaking up, voicing complaints individual workers often feel they cannot afford to press for fear of reprisal. The managers are being questioned, challenged, prodded, and needled, and they have to take it under the concept of collective dealings. They cannot walk off in a huff or refuse to listen, and all of this is to the good. The employee organizations are contributing to improved public service with their criticisms of outmoded procedures and numerous constructive suggestions for improvement. These illustrate the "benefits" which exist, just as surely as do the perils.

It is in the power of all of us to shape the public personnel administration of the future. Let us hope that it will emerge as a vastly improved merit system, based on solid support from both management and the workers.

EQUAL EMPLOYMENT OPPORTUNITY

CIVIL SERVICE COMMISSION CITES F.Y. 1967 PROGRESS

Fiscal Year 1967 was the first full year during which the Civil Service Commission was responsible under E.O. 11246 for the leadership role in achieving equal employment opportunity throughout the executive branch. During the year, the Commission reviewed agency Plans of Action and conducted inspections of agency programs to insure their adequacy and to make certain they were being implemented. It also moved to assure an overall Federal personnel management program which is designed to establish the Federal Government as a model equal opportunity employer.

NEW AND REVISED PROGRAMS

Operation MUST.—Operation MUST (Maximum Utilization of Skills and Training) has been in effect for more than a year. One purpose of the program is to redesign as many jobs as possible so as to create additional jobs at the lowest levels so that persons without experience and underutilized employees can qualify.

Recruiting and Examining.—Agencies were directed to broaden recruiting sources to make certain that members of all minority and disadvantaged groups are reached. The Job Element Examining Technique was expanded. This is a method which allows applicants to qualify by demonstrating potential ability instead of requiring prior experience in the job to be filled. Written tests for some jobs have been eliminated. For other jobs, tests have been revised to eliminate possible elements of cultural bias. Job standards and qualification requirements have been changed to make them more realistic.

A "good risk offender" program has opened job opportunities to persons with a record of a criminal conviction, even though they may be still on parole or probation. Under a new policy, an applicant is no longer required to list an arrest record where there was no conviction or if the arrest occurred while the applicant was a juvenile; also, less weight is given to convictions for minor offenses.

Training.—EEO training programs have been conducted for managers, supervisory personnel, equal employment opportunity specialists, investigators, hearing officers who handle complaints of discrimination, and agency personnel who enforce compliance on the part of contractors with the EEO requirements of Government contracts.

Youth Programs.—The Commission also participated with other agencies in programs to assist youths in obtaining education, training, and employment. This included promoting and coordinating agency efforts to provide work/training sites for enrollees in the Neighborhood Youth Corps, the Work-Experience Program, Job Corps, and the New Careers Program. It also included working with local community action agencies and Federal "war on poverty" programs to help youths and disadvantaged persons find gainful employment. The Commission, in cooperation with Interior's Bureau of Indian Affairs and other agencies in southwestern States, provided 450 summer jobs for Indian youths residing on reservations.

Spanish-Americans.—Special efforts were made to insure that citizens of Spanish-American heritage share fully in the EEO program. Recruiting was intensified in areas with high concentrations of Spanish-American citizens. In some areas, job announcements were printed in Spanish, and bilingual recruiting personnel were used.

COMMUNITY INVOLVEMENT

The Commission issued guidelines for agency managers in local communities regarding the necessity for involvement in community affairs in matters that affect employability of all citizens, including housing, transportation, education, and training. Federal Executive Boards in 15 major cities and a number of Federal Executive Associations participated in promoting and coordinating agency efforts to insure equal opportunity.

COMPLAINTS OF DISCRIMINATION

Improvements were made in the procedure for handling and processing complaints of discrimination. A new handbook on how to investigate complaints was prepared. Time schedules were established for investigating complaints of discrimination and holding hearings. The purpose is to insure the thorough, expeditious, and judicious handling of all complaints of discrimination in such a way as to instill confidence in the system.

We think that the basic but firm steps we are taking, many of which are summarized above, are the approaches that will assure continuing results.

—Anthony M. Rachal, Jr.
Special Assistant to the Chairman
for Equal Employment Opportunity

267-610 O - 67 - 2

FAME yields to . . .

A New Management-Level Recruiting Device

by NICHOLAS J. OGANOVIC, *Executive Director*
U.S. Civil Service Commission

HOW GOOD IS GOVERNMENT'S managerial recruiting? Can a Federal department or agency locate and get just the right man for a high-level post? Does the Federal merit system encourage agencies to take the initiative in seeking out the highest caliber management personnel?

Last year, believing the answer to these questions was generally "it could be much better," the Civil Service Commission set about revamping its examination approach for senior-level positions—jobs in grades GS–13 through 15, with starting salaries ranging from $12,873 to $17,550.

The new program recognizes, first, that Federal managers require ready access to information on available candidates from outside as well as within the service; and second, that the old recruiting and examining avenues were frequently inadequate.

For high-level vacancies that cannot be filled from within the Federal service the Commission introduced a fresh examination incorporating new recruiting concepts. The examination provides agencies with complete and up-to-date information on applicants having a broad range of educational and professional qualifications while establishing a system for attracting additional top-quality candidates when necessary.

Described in Announcement 408 issued May 16, 1967, this examination for positions at grades GS–13, 14, and 15 replaces the Federal Administrative and Management Examination (FAME). To meet agencies' needs for a continuous open avenue through which to recruit, it extends coverage to all occupations at these grades for which there is no other appropriate active list of eligibles and includes positions in accounting, financial management, history, dentistry, education, and urban planning. This broader coverage will allow persons with varied backgrounds to be considered for several kinds of work through one examination, and persons with backgrounds in such fields as law, computer science, or budget administration to be considered for career positions which might have been closed to them because an examination under the single occupation concept was not open.

REVIEW TIME CUT

In line with the quest for a readily accessible list of candidates, the new examination has cut the time required for initial review of applications. Instead of providing for detailed reference inquiries and assignment of numerical rating before agencies can consider an applicant, the new examination employs initial screening only to eliminate obvious ineligibles, to code each application for interest and experience in specific occupational areas, and to assign grade-level eligibility on the basis of experience. This will permit prompt notification of eligibles while maintaining on file all information needed when pulling applications for evaluation against specific job requirements.

To keep this information current, the eligibility period under the new examination has been reduced from 18 months to 12 months. To insure an adequate supply of quality candidates, a special recruiting procedure has been devised for shortage categories. Should consideration of eligibles under the new examination fail to produce enough well-qualified candidates for a particular position, the agency involved will be encouraged to recruit additional persons for evaluation and consideration under a prescribed recruitment program.

A brief look at this new plan in practice will illustrate the change in examining concepts.

Each applicant will file Application Forms 57 and 5001 ABC with the Civil Service Commission to be screened by the Bureau of Recruiting and Examining for basic eligibility. All applicants not meeting the basic requirements will be notified and their applications returned.

CENTRAL RESOURCE FILE

Acceptable applications will be coded according to applicant interest, experience, and education and placed in the Central Resource File; and the applicants will be notified of their initial eligibility. For coding, total amount of experience and education is less important than its quality and scope. However, an applicant must have at

least 6 years of experience and education demonstrating progression in skills and responsibilities, including at least 1 year at a level comparable to the next lower level in the Federal service.

In some occupational areas where thorough evaluation of a candidate's qualifications demands more detailed information, supplemental forms are being developed. The one now being prepared for computer scientists, for example, will tell a hiring agency whether an applicant has worked primarily in programing systems, or in some combination of skills, and just what equipment he has used among the myriad varieties on the market. Forms will be drawn up as needed both in fields requiring use of specific equipment or skills and in general administrative fields where responsibilities tend to vary. Each eligible in these areas will be requested to complete one of these forms when his application is accepted.

DRAWING ON THE FILE

When a vacancy occurs, the agency will inform the appropriate Interagency Board. (The Commission has 65 such Boards of Examiners, each with a one-stop job information center, located throughout the country.) Unless such special circumstances as appointing authority limitations dictate otherwise, this will be the Board of which the agency installation's head is a member. With its request, the agency will submit a position description, a concise statement of specific qualification requirements, and names of agency nominees available to serve on a panel to rank the candidates. These nominees will be subject-matter experts in the appropriate field working at a level equivalent to or higher than that of the position concerned.

When an agency submits a request to one of the 65 IAB's, the Board will ask the Bureau of Recruiting and Examining to match applications on file with the selective factors specified in the request and forward those qualified. In fields where there are large stockpiles of applications on hand, examiners in the Bureau will apply other appropriate selective factors specified by the requesting agency or the Interagency Board to assure that only a reasonable number of the better-qualified applicants are referred to the Board for final ranking.

The Executive Officer of the Interagency Board will then convene a panel of two or three subject-matter experts to assign numerical scores or otherwise rank candidates eligible for the position involved. The panel will consider and rank qualified candidates recruited by the agency along with those supplied from the Central Resource File. However, the agency may be required to undertake additional recruitment if the Executive Officer believes further effort is needed to assure that a high quality selection will be made. The panel may make reference checks or secure further information from the candidates if necessary to insure adequate data on which to base the final ranking. Names of the best qualified candidates, on the basis of the panel's rating, will be turned over to the requesting agency for consideration.

In shortage categories, the Board will designate an agency official as a panel member of the Board to recruit and process qualified applicants on the spot. This authority, however, would be granted only where there are no qualified candidates in the resource file who meet the specific requirements of the job.

OTHER NEW PROJECTS

The new flexibility of procedures and accessibility of qualified candidates will not be confined to this one examination. Several other projects are now underway to translate the Commission's new concepts into practice. To provide a pool of prospects from which future administrators can be drawn, a new middle-level examination will soon be announced covering most positions in grades GS–9-12. Also, an inventory now being planned of employees in all agencies holding jobs at grades GS–11-14 will let hiring officials quickly determine just who is available for promotion.

In support of the Senior Level Examination and these other activities making up the new recruiting program, the Civil Service Commission will issue brochures describing opportunities in various occupational categories. But the job of attracting top-quality applicants should not end there. With greater flexibility comes increased recruiting responsibility for Federal agencies. Commission efforts may not succeed in attracting the most desirable applicants, so the agencies are urged to make individual promotional efforts, to exercise their increased authority to seek out the top-quality people they want. The new concept will be worthless unless the best qualified people are made aware of the varied and challenging opportunities available. Agencies must search for these people—they cannot assume that the best prospects will apply. Agency executives must go out and sell their programs to the best candidates.

SIZE AND DIVERSITY

The most evident characteristic showing a disparity between labor-management relations in the Federal Government and in private business is the size and diversity of the Federal work force: 2.9 million employees, in a multitude of departments and agencies, with installations located all over the world. Federal agencies have formal dealings with 111 different employee organizations, ranging from the traditional craft and industrial unions to the so-called Government unions which exist in particular departments, such as in the Postal Service and the Internal Revenue Service, and others which have large memberships across departmental lines.

LEGAL DECISIONS

REMOVAL—CAUSE

Swaaley v. *United States,* Court of Claims, May 12, 1967. This case is further evidence that the lower Federal courts are aware of the principle applied by the Supreme Court in recent cases that Government employees do not put aside their constitutional rights when they enter Government employment. See, for example, *Elfbrandt* v. *Russell,* 384 U.S. 11 (1966); *Keyishian* v. *Board of Regents,* 385 U.S. 589 (1967) in the *Journal,* Vol. 7, No. 4; and *Garrity* v. *New Jersey,* 385 U.S. 493 (1967). Two Fourth Amendment cases have been recently noted: *Powell* v. *Zuckert* (D.C. Cir. 1966) in the *Journal,* Vol. 7, No. 2, and *Saylor* v. *United States,* Court of Claims, in the *Journal,* Vol. 7, No. 4. This is a First Amendment case.

Plaintiff was discharged for making "unfounded" derogatory statements against officials of the Navy Yard in which he worked, in a letter he wrote to the Secretary of the Navy. At the administrative hearing no attempt was made to show that the statements were untrue; they were said to be "unfounded" because plaintiff did not produce enough information "to convince us completely that all his statements were true."

The court ruled that the removal was illegal because it punished plaintiff for exercising his right under the First Amendment to petition the Government for a redress of grievances, saying, "We hold that a petition by a Federal employee to one above him in the executive hierarchy is covered by the First Amendment and if it includes defamation of any Federal official, protection is lost only under the circumstances in which a newspaper article would lose such protection if it defamed such official." (The reference is to the landmark case of *New York Times* v. *Sullivan,* 376 U.S. 254 (1964), holding that citizens have the right to criticize Government officials without liability for libel, absent a showing that the criticism was malicious.)

REMOVAL—VETERANS

Ainsworth v. *United States,* Court of Claims, May 12, 1967. Since the enactment of the Veterans' Preference Act in 1944, the Commission has held that a person serving in a position in the competitive service under a temporary appointment pending establishment of a register (TAPER) was not covered by section 14 of the Act because he did not serve a probationary period. The Commission also held that a person serving in a position in the excepted service became covered by section 14 of the Act after he completed 1 year of service. It was necessary to treat the first year of service as a probationary period for those in excepted positions because none is prescribed for excepted positions.

In 1960 the Court of Appeals, D.C. Circuit, upheld the Commission's ruling as to coverage of excepted employees in *Born* v. *Allen* (*Journal,* Vol. 1, No. 3). The Court of Claims could not see a basis for distinction between the *Born* case and this case. In both cases plaintiff was a veteran who had served for more than a year. The court, therefore, granted plaintiff's claim for back pay since the procedures of section 14 of the Act had not been followed in his separation.

ADVERSE ACTIONS—PROCEDURES

Camero v. *United States,* Court of Claims, April 14, 1967 (*Journal,* Vol. 6, No. 1 and Vol. 7, No. 1) and *Brown* v. *Gamage,* D.C. Cir., March 30, 1967. An important legal principle is enunciated in the *Camero* case: Agency regulations (or statutes) that grant employees a hearing in the process of resolution of their grievances must be taken to incorporate certain fundamental premises of fairness. The *Camero* case did not pass the test, and plaintiff's removal was held to be illegal. The defect in the case stemmed from a discussion by the Agency's General Counsel (who was preparing an opinion on the case for the Commanding General's use in arriving at a decision) with several of his attorneys, one of whom had represented the agency at the hearing. The court said: "It is difficult to imagine a more serious incursion on fairness than to permit the representative of one of the parties to privately communicate his recommendations to the decision makers. To allow such activity would be to render the hearing virtually meaningless."

In the *Brown* case, the district court held that plaintiff did not get a fair hearing as required by the applicable statute because affidavits of witnesses who were not present for cross-examination were introduced as evidence. The Court of Appeals reversed, pointing out that plaintiff had access to the affidavits prior to the hearing, knew the identity of the affiants and their retired, inactive, or overseas status, made no effort to have the agency produce the affiants or to take their depositions, and made no showing that he was financially or otherwise prevented from taking their depositions. "Under these circumstances," said the court, "we cannot agree that admission of their statements deprived him of a 'fair hearing' within the meaning of the Congressional enactment * * *."

APPEALS—VETERANS

Walker v. *United States,* Court of Claims, April 14, 1967. Plaintiff tried to convince the court that he was entitled to back pay because his removal was illegal. The Commission had refused to entertain his appeal because it had been filed long after the effective date of the adverse action. Plaintiff told the court it should overlook this late appeal because he had been suffering from a mental disease which left him unable to file a timely appeal.

The court left him hanging on the horns of a dilemma with no back pay: "If the court upholds the Commission's holding that his illness was not an acceptable excuse, plaintiff would be barred from this court because his untimely appeals constitute a failure to exhaust administrative remedies. * * * If the court would excuse the tardiness of the appeals and accept the existence of plaintiff's debilitating mental illness, plaintiff could not recover because of his failure to be ready, willing, and able to work for the period encompassed in his claim. * * * Thus with either factual resolution, plaintiff cannot recover."

Handler v. *Secretary of Labor,* D.C. Cir., April 7, 1967. Plaintiff's division was decentralized; he was assigned to Detroit, refused to go, and was removed. The fact that the court upheld the removal does not make this a landmark decision. What is significant is this sentence from the opinion: "Courts will be most reluctant to disturb agency action where, as here, the record discloses an adequate basis for the result reached."

—John J. McCarthy

RECRUITERS ROUNDUP

The Civil Service Commission recently conducted a nationwide survey on the effectiveness of Federal recruiters. Although conclusions on the survey will depend on what the final tabulations of more than 350 interviews with college representatives show, some tentative findings have been drawn from a preliminary check of the completed questionnaires.

The preliminary check shows that college representatives generally think Federal recruiters are capable, effectively represent their agencies, and compare favorably with recruiters from industry. In describing the strong points of Federal recruiters, the college representatives used such adjectives as dependable, articulate, knowedgeable about their agencies, honest in presentation, and convinced of the important contributions of their agencies.

But the preliminary check of survey forms also shows some familiar criticisms of Federal recruiters and Federal recruiting programs. Some of those interviewed commented on:

- The failure of Federal recruiters to establish contacts with faculty members. Commission representatives who conducted the survey had difficulty at some colleges locating any faculty members who knew Federal agency recruiters or who were aware of Federal recruiting practices.
- A tendency to send different people to the campus each year and a lack of continuity in personal relationships between the Federal and college representatives. Many private companies build rapport with college faculty members and others by sending the same recruiters to the same campuses each year.
- Colorless and unenthusiastic descriptions by some Federal recruiters of their agencies' career opportunities, even to the point of being apologetic about some features of Federal employment.
- Strong criticisms of Federal recruiting literature—too wordy, vague, technical, and unattractive.
- A failure to follow through on recruiting visits, by letting the student know what has happened to his application and by keeping in touch with placement directors and faculty members.
- A need for coordination among Federal agencies in their college recruitment. It is not uncommon at the large universities to have many recruiters from a number of installations in the same department or agency, seeking the same college majors, and knowing only the jobs available in their own individual installations.

A complete report of the survey findings will be distributed this fall to Federal departments and agencies. Although the preliminary check suggests the findings will be quite favorable, the report will give special attention to those areas where further improvements might be made in the effectiveness of Federal recruiters and Federal recruiting practices.

—Thomas G. McCarthy, Director,
Office of College Relations and Recruitment,
U.S. Civil Service Commission

THE HIGHEST HONOR

On August 9, 1967, at a ceremony in the Benjamin Franklin State Dining Room, Department of State, Vice President Humphrey conferred on six notable career officials the 1967 President's Award for Distinguished Federal Civilian Service—the highest honor that can be bestowed on a Federal career employee.

Naming the 1967 Award recipients, the President said:

"These six remarkable men are modern pioneers. We live today in a world of such rapid change in science, international affairs, and socio-economic patterns that traditional, inherited knowledge is no longer sufficient to solve urgent problems. We must seek new answers from people who have sought and mastered new knowledge, from people unafraid to voice constructive discontent with tried but no longer true methods, from people with the energy and the initiative to break through the long accepted boundaries of action. Such are the six selected for this high civilian honor, and we are both fortunate and proud to have them in our Nation's public service.

"We are fortunate and proud, also, to have . . . the kind of civilian career service that can attract persons of such outstanding excellence and afford scope and opportunity for the exercise of their superlative talents. In honoring these men, we recognize anew the extraordinary qualities of skill, energy, and dedication that are to be found in the career ranks of the Federal service."

MISSIONS UNLIMITED

"We salute their past accomplishments with pride," the Vice President said. "We look to their future accomplishments with confidence.

"Our Nation and others will be the better for their dedicated service."

This year's Award winners have brought illustrious and far-reaching contributions to the fields of rehabilitation of criminal offenders, health insurance for senior citizens, national security, Peace Corps assistance to developing countries, civilian aid in South Vietnam, and scientific research.

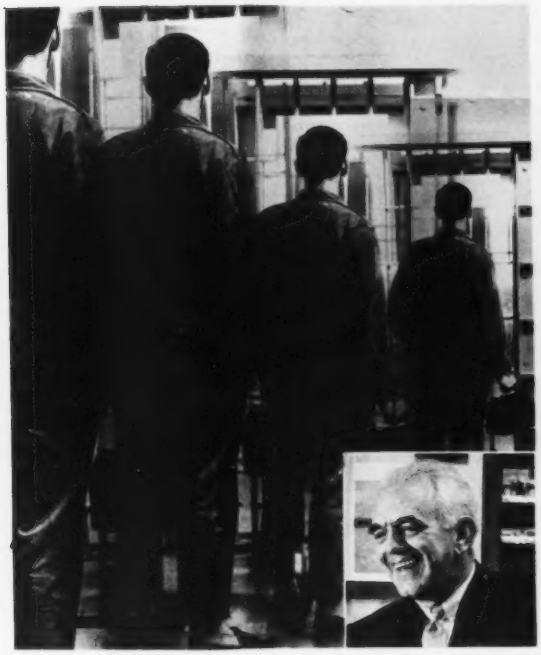
At home they have put to rout old fears and have heralded new hopes.

Abroad, they have helped small countries to see their way more clearly to help themselves.

Their influence for peace is international.

Truly, their missions are limitless.

They are only six men. But their work has reached around the world. For generations to come, it will affect the lives of untold millions.



He has given numberless men new reason to hope, new faith in themselves and their futures, as they return to the freedoms and the privileges of life beyond bars.

Myrl E. Alexander, Director of the Federal Bureau of Prisons, Department of Justice, "a progressive and far-sighted administrator," has "pioneered, developed, and led to reality more effective methods of treatment in correctional institutions, which have increased the offender's capacity to reenter community life as a responsible citizen."

Under his direction, the Bureau's emphasis on community-based rehabilitation programs has provided a whole new outlook for Federal corrections and has already been emulated by several State systems.

The leading U.S. representative to international organizations and conferences on prevention of crime and treatment of offenders, Mr. Alexander has had 33 years of Federal service.

Beginning in 1931 as Warden's Assistant at the Federal Penitentiary in Atlanta, he progressed within the Bureau of Prisons to the position of Assistant Director of the Bureau in 1947. From 1961 to 1964 he was a Professor of Correctional Administration at Southern Illinois University, and in 1964 he returned to the Department of Justice as Director of the Bureau of Prisons.

He has helped make it possible for millions of American senior citizens to live their golden years with the dignity of independence, free from fear that physical injury or illness will wipe out their life savings.

Arthur E. Hess, Director of the Bureau of Health Insurance of the Social Security Administration, Department of Health, Education, and Welfare, "organized and launched, in record time and with remarkable success, the complicated and far-reaching Medicare program."

Mr. Hess began his 28-year career with the Social Security Board (now the Social Security Administration) in 1939, in the pioneer days of the Federal program. Advancing with the growth of the program, he became the organizer and first director of social security disability operations in 1954, and in 1965 assumed the task of advance planning for Medicare and has put it into highly successful operation.

Characterized by his colleagues and consultants throughout his career as a man of extraordinary energy and limitless good sense, he has gained the cooperation of the interests essential to the success of these complex and extensive programs.

By his quiet contributions to national security, he has helped immeasurably to assure a future to the young people of today, who will be its leaders tomorrow.

Sherman Kent, Director of National Estimates and Chairman of the Board of National Estimates, Central Intelligence Agency, "a distinguished scholar and creative pioneer in the theory and practice of foreign intelligence," has been "an inspiring leader in the intelligence community and a wise counselor to the highest officials of the Government."

Dr. Kent has had a total of 21 years in the Federal service. He came into the Government from the faculty of Yale University, and from 1941 to 1947 he was in the Office of Strategic Services, in intelligence work at the Department of State, and on the faculty of the National War College. In 1947 he returned to Yale as Professor of History, and in 1951 he accepted his present position with the Central Intelligence Agency, where for 16 years he has been responsible for the unique institution of the Board of National Estimates and its staff.

Under his leadership this Board has produced over 1,000 national intelligence estimates, and the system has grown from its experimental beginning into a highly responsive operation.

Dr. Kent holds both the Ph. B. and Ph. D. degrees from Yale University.

He has sown in the minds and hearts of old and young in Africa seeds of knowledge and goodwill destined to flower and to spread across the years.

C. Payne Lucas, Deputy Director, Africa Region, Peace Corps, an "inspired and inspiring leader of Peace Corps Volunteers," has been "a vital force in guiding Volunteers and staff to new levels of accomplishment and friendship in the developing countries of Africa." He has been with the Peace Corps since May 1962. He was Associate Representative and Deputy Director in Togo until 1964, and Peace Corps Director in Niger 1964–66.

He established a working relationship with the President of Niger that has been described as "unique in Peace Corps annals." As Deputy Director, he has infected the whole agency with his enthusiasm and drive to make the United States more effective in assisting the developing world. He is the second youngest person ever to receive the President's Award for Distinguished Federal Civilian Service.

He has worked tirelessly in support of our commitments to peace and freedom in South Vietnam, coordinating efforts to provide aid to its war-torn civilian citizens.

William J. Porter, Ambassador to the Republic of Korea, Department of State, "pioneered in unifying United States civilian aid programs in South Vietnam and greatly increased their effectiveness in improving the lot of the Vietnamese people in the villages and rural areas."

Mr. Porter has been with the Department of State for 30 years and has served with distinction in a variety of very sensitive and complex assignments, notably as the first Ambassador to Algiers during the early stages of that country's independence, and as Deputy Ambassador for the last year and a half in South Vietnam.

Entering the Foreign Service in 1937, he became a Foreign Service Officer in 1947 and served in several Middle East posts. Following 3 years in Washington as Director, Office of North African Affairs, he was assigned in 1960 to Algiers.

As Deputy Ambassador to South Vietnam from September 1965 to May 1967, he directed the formation of, and supervised, an organization combining into one effort the programs of the United States civilian agencies to give concerted support for South Vietnam's development and pacification programs.

A native of Stalybridge, England, Mr. Porter was naturalized in 1936.

If there are to be trustworthy safeguards in this our time against nuclear war and all its attendant horrors, it is men like this one whose silent service will help to keep nations whole, and purposeful in peace.

Carl F. Romney, Seismologist, Department of the Air Force, "an eminent scientist in the field of seismology . . . has made outstanding contributions to the development of a control system for underground nuclear tests and thereby has enhanced international cooperation in the interest of world peace."

Dr. Romney joined the Department of the Air Force in 1955 and has held progressively responsible scientific positions concerned with seismology.

He has served as technical adviser to the United States representatives in negotiations of the Test Ban Treaty; as a member of the United States delegation to the Geneva Conference of Experts, 1958; and as a member of the United States delegation to the Conference on Discontinuance of Nuclear Weapons Tests, 1959 and 1960.

He is the author of numerous technical papers on seismic effects of underground explosions, and his technical contributions and superlative knowledge and technical judgment have earned him a reputation as a leading international authority in his field.

He received a Ph. D. degree from the University of California.

LAUNCHING MEDICARE:

MAKING MEDICARE WORK was an enormous job requiring many long hours of effort on the part of Federal officials and those in support positions down the line. Many agencies of Government and organizations outside Government joined with the Social Security Administration in paving the way for medicare. Now that the program is a reality, it seems appropriate for us to look back with pride at the role civil servants played in launching medicare.

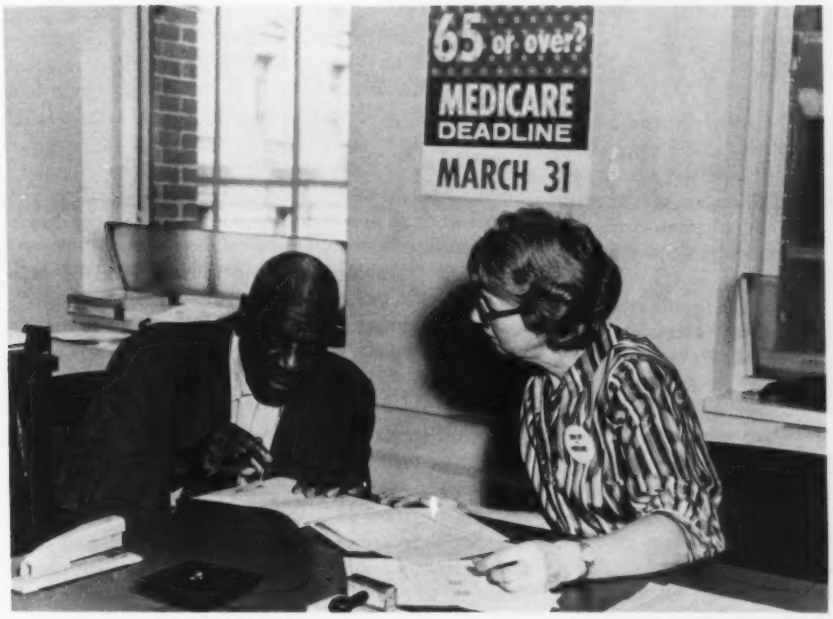
HOW IT BEGAN

It all started when President Johnson signed into law the Social Security Amendments of 1965 which established medicare. In words that served to inspire the men and women charged with getting the program moving, he said:

"No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years. No longer will young families see their own income, and their own hopes, eaten away simply because they are carrying out their deep moral obligations to their parents, and to their uncles and their aunts."

That was the starting point, but between the time of enactment on July 30, 1965, and the day 11 months later

the People Behind the Program



by
ROY L. SWIFT
Information Officer
Social Security Administration

when most medicare provisions went into effect—July 1, 1966—enormous tasks had to be accomplished. We had to

- reach the 19 million older Americans who were potentially eligible for medicare;
- explain medicare to those who would be providing the actual health services—physicians and other professional health workers, hospital personnel, and administrators and staffs of clinics, nursing homes, home health agencies, and diagnostic laboratories;
- develop conditions of participation and principles of reimbursement for the providers of services that would carry out the intent of the Congress—that is, to establish a program of high-quality health care available to all regardless of race, color, or national origin;
- certify those facilities meeting the required standards and provide guidance and assistance to those seeking participation but not yet able to meet the standards; and
- Select the private health insurance organizations and prepayment plans that would serve as fiscal intermediaries for the Government in the payment of claims, and see to it that these organizations would be geared to handle the onrush of medicare claims when the program began.

Small wonder then that President Johnson said about medicare: "Preparations for this program constitute the largest management effort this Nation has undertaken since the Normandy invasion."

That these tasks were accomplished and were accomplished on time is a matter of record. Medicare did begin on July 1, 1966, and contrary to the expectations of many, it began smoothly with few major problems.

UNIQUE PARTNERSHIP

These formidable tasks were accomplished largely through a unique partnership formed between people and organizations inside the Federal Government and their counterparts outside Government.

Groups and organizations assisting came from all areas of the economy—labor, business, professions, senior citizens' groups, women's groups, religious and church groups, and ethnic organizations, to mention a few. From the Government itself, the Department of Agriculture, Internal Revenue Service, Civil Service Commission, Public Health Service, Office of Education, Office of Economic Opportunity, Railroad Retirement Board, Post Office Department, and Welfare Administration all participated in the preparations for medicare.

In order to prepare for and to administer medicare, as well as the other 1965 amendments, the Social Security Administration grew from the 35,500 employees it had at enactment to the more than 47,000 it has now. There are more than 700 social security field installations where people can get information about social security retirement, survivors, and disability insurance cash benefits and about medicare. Personnel staffing these installations are highly trained and dedicated, able to provide every assistance to claimant and inquirer.

INFORMING THE PEOPLE

One of the first major hurdles faced by the Social Security Administration was identifying, and communicating with, the 19 million older Americans who were potentially eligible for medicare. The largest part of this public—about 15½ million men and women—were already receiving social security or railroad retirement benefits and could be reached easily.

Communication with the remaining 3½ million people age 65 and over posed a far greater problem. Some of these people were still working and had never applied for benefits; others had not worked under social security long enough to be eligible for benefits; many were aged widows whose husbands died before earning sufficient social security credit; a large number were disadvantaged, out of the mainstream of life; and still others were functionally illiterate.

Methods of communication with these diverse groups had to be devised—methods which would insure that every potential beneficiary received enough information about the program for him to take intelligent action.

All media were utilized to help inform the people—publications, radio, television, newspapers, magazines, direct mail, and social security and medicare posters displayed on the sides of post office trucks. But this was not enough. Not everyone could be reached in this manner.

Social security offices stayed open in the evenings and on Saturdays so that working people would not have to take time off from their jobs. Rallies were held throughout the country so other groups could be reached. Other leads were utilized and followed up. Through a joint project with the Office of Economic Opportunity—Operation Medicare Alert—elderly people, especially in low-income areas in depressed neighborhoods, canvassed the communities and helped inform others about medicare. People living in rural areas received word about medicare through the activities of Department of Agriculture personnel working in conjunction with social security district office staffs.

District office ingenuity and initiative was of great importance. In one office, for example, a field representative gave a number of speeches to deaf and dumb groups, using sign language.

RECORD NUMBERS ENROLL

By the time the enrollment campaign ended on May 31, 1966, more than 17 million of the 19 million older Americans had signed up for voluntary medical insurance, agreeing to pay a $3 monthly premium for this protection. Social Security Commissioner Robert M. Ball commented that probably never before had 17 million people signed up to pay $3 a month for anything in such a short time.

A social security representative is shown here puzzling over a complicated question about medicare. Informing older Americans about the benefits of the program was one of the big jobs that had to be tackled during the enrollment period. Booths were set up in many areas where people congregate so that everyone eligible could ask questions and make informed decisions.

A massive direct mail campaign was carried on by the Social Security Administration as part of the effort to get information about medicare to the people. A round-the-clock operation was carried on by the social security mailroom. Here two mail clerks ready one of the many mailings made during the enrollment period.

Probably the single most important piece of direct mail produced during the medicare enrollment period was the beneficiary's *Medicare Handbook,* shown here being printed. It was mailed to every medicare beneficiary in the country before the program started to tell about protection and benefits. During the enrollment period over 200 million publications, including the *Handbook,* were distributed to explain the 1965 amendments.

Records and files had to be set up and maintained for all the millions of older Americans who are eligible for medicare benefits. More than 17 million people signed up for voluntary medical insurance. This scene at the Social Security Administration headquarters in Baltimore shows part of the filing system necessary in administering the social security programs.

All the while the enrollment campaign was underway, policies and procedures were being developed so that medicare could move off the ground at the appointed time. Dialogs with the health community were being held; advice was sought and received about how the medicare law could be implemented so that the full intent of the Congress could be carried out.

Not the least of the tasks was the dissemination of information to the Nation's 250,000 physicians who would be providing services to the older Americans under medicare. Medical groups and associations cooperated to the fullest extent in this endeavor.

Information about medicare and how the individual could receive the benefits had to be placed in the hands of beneficiaries long enough before the program began so that all would know exactly what protection they had and how they could use it as soon as needed after July 1, 1966. Identification cards had to be sent to each person before the program started. The designing, printing, and mailing of these 19 million health insurance identification cards was in itself a major project.

But, as July 1 approached and the last loose ends were tied up, it became apparent that medicare would start off and start off well. Since that beginning, there have been 5 million medicare in-patient hospital admissions recorded in the first year of operation, and $2.4 billion has been paid to the Nation's hospitals for this in-patient care. During the first year, 25 million bills for services under medical insurance were received, and $640 million paid on the bills processed.

All but 2 or 3 percent of the Nation's hospitals—representing 98 percent of the short-term hospital bed capacity—are participating in medicare. In addition, over 4,000 extended care facilities representing about half of all the skilled nursing home beds in the country, together with some 1,800 home health agencies and 2,450 independent laboratories, have met the quality standards of the program.

PRESIDENTIAL PRAISE

As President Johnson said when he spoke at Social Security headquarters in Baltimore in October 1966:

"A few weeks ago, I heard a lot of dire predictions about how the system would fail when we inaugurated the new program. I have never seen such faultless administration. To each of you, whether you are at the bottom of the grade at the top of the list, I want to say that your President appreciates the job that you have done and wants to publicly commend you for it.

"Today, social security and medicare stand as two of the most historic programs ever enacted by any Congress. They stand as two of the most far-reaching programs ever carried out by any governmental agency.

"Everyone of you has joined in this great drama. You can feel pride over what you have done for your country."

Time to take stock and recharge batteries

BROOKINGS FELLOWSHIPS FOR FEDERAL EXECUTIVES

by
CHARLES B. SAUNDERS, JR.
Assistant to the President
The Brookings Institution

IN 10 FEDERAL DEPARTMENTS and a half-dozen independent agencies, a small but growing number of senior officials have earned valuable benefits for their agencies and for their own careers by taking a year's leave of absence for study at the Brookings Institution.

In the past 7 years, a total of 48 top-level public servants have come to Brookings as Federal Executive Fellows. The number will grow more rapidly in the future as the Institution plans to double the number of fellowships it awards annually. About 20 Fellows will be selected this fall for appointment in 1968.

"There's no reason why we might not triple the program if we get enough good applications for solid policy-oriented studies," declares Kermit Gordon, president of the 50-year-old research organization and former Director of the Bureau of the Budget.

At the Institution's headquarters in the Nation's Capital, Fellows escape the tyranny of day-to-day duties to reflect and do research on operating and policy problems of interest to their agencies. The agencies pay their salaries throughout their fellowship period under the Government Employees Training Act, and Brookings provides office space and research facilities, with its staff members freely available for expert consultation and advice.

The fellowships are open to officials at GS–15 and above who have had substantial Federal service. They must be nominated by their agencies, and they must have a serious project which is relevant to Brookings' interests in the fields of economics, government, and foreign affairs. The tenure of a fellowship may run from several months to a full year.

Fellows regard their time at Brookings as a stimulating opportunity for ordering their thinking and recharging their intellectual batteries—a welcome change of pace from the pressures of jangling telephones and tight deadlines. A Federal Executive Fellowship is hardly a rest cure, however; the discipline of sustained scholarship has proved highly productive for both the Fellows and their agencies. Fellows have produced several books and articles in professional journals, a variety of reports for use within their agencies, and a wealth of ideas for improvement of the programs and policies they deal with in their regular assignments. Further, they have obtained a fresh perspective which has demonstrably enlarged their capacities for public service.

"One of the constant problems you live with on the action side is that you gradually get torn apart by the grind," a former Fellow said recently. "To maintain your effectiveness you need time to step back and reflect, to organize and synthesize your experience." Recognition of the need for such opportunities prompted Brookings to establish the program as a small but meaningful enrichment of the Government's own executive development efforts.

Nominees for the fellowships have their project proposals reviewed by a committee of Brookings scholars,

who select those having the greatest potential for useful research contributions. Once at the Institution, Fellows are assigned an advisor from the senior staff who can provide professional guidance when needed. The Fellows have complete freedom to pursue their projects; setting their own pace and working under no deadlines other than the agreed-upon date for returning to their agencies.

For his first few weeks at Brookings, a Fellow may enjoy the luxury of full-time random reading in his field. Nevertheless, the requirements of sustained research inevitably enforce a discipline of mind and work which generates its own pressures. One current Fellow recalls, "As I began writing and received comments from individuals within and outside of Brookings, I was forced to say more precisely what was in my mind and at the same time to broaden my subject and approach . . . . Originally I had expected to concentrate almost exclusively on the 'nuts and bolts' for the field men, but my broadening analysis made me face up to some of the policy and operational implications of what I was saying and develop proposals for changes in policy which are likely to precipitate some vigorous discussion when I submit my report."

Brookings staff members readily agree that the benefits of the program are mutual. There is valuable feedback in the exchange of ideas between practitioners and researchers: the scholars' work is tested by the practical experience of the Fellows, who not only are stimulated by the Institution's ongoing research program but also help generate ideas for further research.

H. Field Haviland, Jr., Director of Foreign Policy Studies at Brookings, credits a former Fellow with an important role in shaping the Institution's current program of research in the field of civic development. Ben S. Stephansky, one of the first group of Fellows, came to Brookings in early 1961 to study the political role of labor in under-developed countries. He never finished his project because 5 months later he was appointed Ambassador to Bolivia by President Kennedy. Before he left, however, Stephansky was a central participant in a series of conferences held at Brookings for government and academic specialists to explore the need for greater attention to problems of civic development.

Stephansky, now Deputy United States Representative on the Organization of American States, counts his time at Brookings as well spent. "It enabled me to pull together a lot of experience, do a lot of thinking, talk to the leading thinkers in the field, and get a better perspective on these kinds of problems," he recalls. "As it turned out, my subject was a grand introduction to the situation I found in Bolivia, with its strong labor movement."

Richard E. Slitor, Assistant Director of the Treasury's Office of Tax Analysis, spent a year in highly productive scholarship at Brookings in areas of vital interest to his agency. His advanced research on the shifting and incidence of the corporation tax, the tax treatment of R & D expenditures of business, and the proposed value-added tax resulted in several articles in professional journals

Brookings President Kermit Gordon (center) talks with two Fellows in the Institution's lounge. Gabriel R. Rudney (left), Chief of the Personal Taxation Staff in the Treasury Department's Office of Tax Analysis, is working on a proposal for budget accounting of Federal tax concessions. Edmund S. Glenn (right), Special Assistant in the State Department's Language Services Division, is studying the role of cognitive systems as a cultural determinant in communications, decisionmaking, and government. (*RENI PHOTOS*)

and essays in published volumes which have since been widely cited by economists. He was Chief of the Business Taxation Staff when he took his fellowship in 1963.

Alexander L. Peaslee, currently U.S. Consul General in Halifax, is credited by associates at the State Department with having made a noticeable impact on the Department's thinking about the strategy of development when he submitted the report he prepared as a 1965 Fellow. His analysis produced clear evidence of the close relationship between a nation's economic growth and the educational level of its population. Peaslee's conclusions were quoted by the Secretary of State in a major speech last fall, and his study has received wide circulation as a discussion paper issued by the Southeast Asia Development Group and as background reading for a conference of senior AID officials held in Mexico last spring.

A thorough overhaul of American maritime practices and policies was called for in another study by Samuel A. Lawrence, recently appointed Executive Director of the Commission on Marine Science, Engineering, and Resources. *United States Merchant Shipping Policies and Politics,* published by Brookings a year ago, provided a comprehensive analysis of the maritime program which earned its selection by *Library Journal* as one of the Best Business Books of 1966. Lawrence's experience illustrates a unique aspect of the Federal Executive Fellowship program. Without his appointment at Brookings it is unlikely that he would have been able to carry out the study since his agency could not have assigned him to full-time research for the extended period required. (His book, it

Robert C. Crawford, Program Coordination Specialist in the Office of Economic Opportunity's Office for Interagency Relations, is shown at his desk in the Brookings Institution. As a Federal Executive Fellow, he is conducting a study of multi-purpose neighborhood systems as a means of making needed services more readily available to low-income families. (*RENI PHOTOS*)

One of the current crop of Federal Executive Fellows, C. Clifford Finch, Labor Attache with the Department of State, is pictured browsing in the Brookings library. His study centers on ways in which the Agency for International Development's experience with labor-oriented programs can be applied to the problems of underdeveloped areas in the U.S. (*RENI PHOTOS*)

should be noted, is the only product of the program to be issued by Brookings, which assumes no obligation to publish FEF manuscripts.)

Another Fellow to produce a controversial and highly readable book was Arthur Goodfriend, Special Assistant to the Deputy Director of the U.S. Information Agency when he came to Brookings in 1961. The story of his experiences as a Public Affairs Officer in India, *The Twisted Image* (1963, St. Martin's), measured the agency's actual operations against its stated mission, found them seriously wanting in many respects, and suggested substantial changes. The book "stirred up a storm over here," a USIA official recalled recently. "But its criticisms also provoked some constructive thinking which resulted in modifications of our operations, particularly in our provincial programs in India and our approach in some of the North African countries."

Robert B. Pearl was recently named Assistant Commissioner for Data Collection and Survey Operations at the Labor Department's Bureau of Labor Statistics after spending a year at Brookings in research which bears directly on his new assignment. Pearl, formerly Chief of the Demographic Surveys Division of the Bureau of the Census, studied ways to improve data collection methods for field surveys of consumer expenditures—methodology which is a basic responsibility in his present job.

Edgar L. Owens, a 1965 Fellow, was influential in shaping the innovative Title Nine of the Foreign Assistance Act of 1966, legislation which for the first time provided statutory authority for systematic support of civic development activities in the emerging countries. Owens' study, "A Democratic Strategy of Development," received wide circulation in AID, in the academic community, and on Capitol Hill, where the congressional sponsors of the legislation consulted him in the drafting stages. He is now helping to strengthen civic development programs in South Vietnam as a special assistant to the director of the AID mission in Saigon.

Such examples are illustrative, but not typical, of the contributions made by the Federal Executive Fellowship program. There is no "typical" FEF project. Each agency has its own special research needs and its own operating problems which may require different approaches. Each Fellow, in his months at Brookings, applies different skills and different outlooks to the resolution of these problems. Some projects may be judged successful in terms of published results or the circulation given to a memorandum of recommendations; others may achieve success in terms of the deepened understanding and fresh perspectives gained by a single senior career official.

Brookings provides the opportunities; the Fellows make of them what they can. The record of the past 7 years justifies the Institution's decision to create more such opportunities.

Brookings will receive nominations for 1968 Federal Executive Fellowships from Federal agencies at any time. Further information may be obtained from the Director, Advanced Study Program, Brookings Institution, 1775 Massachusetts Ave. NW., Washington, D.C. 20036.

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Worth Noting *(Continued)*

Other Washington-area co-chairmen are David McGiffert, Under Secretary of the Army; Hobart Taylor, Jr., Director of the Export-Import Bank; and Richard Murphy, Assistant Postmaster General for Personnel.

"OPEN CONTINUOUS" examinations have been announced by the Civil Service Commission for graduates of 2- and 4-year colleges, and for those with equivalent combinations of education and experience. The Federal Service Entrance Examination, which formerly opened and closed on an annual basis to coincide with the school year, will now remain open continuously and examinations will be given 9 times each year. Applicants who achieve eligibility for employment will remain eligible for 12 months. The FSEE is the principal avenue to Federal jobs for recent graduates of 4-year colleges. The Junior Federal Assistant examination, which generated 18,000 competitors when originally open for less than a month in the early part of 1967, has also been reopened on a continuous basis. This examination is aimed primarily at graduates of 2-year colleges and persons with equivalent education-experience combinations.

Also open now on a continuous basis is an entrance-level examination for Accountants, Auditors, and Internal Revenue Agents (generally for 4-year college graduates). A separate examination (generally for 2-year college graduates) is now open continuously to fill positions as Engineering Aids and Science Assistants.

CONGRESSIONAL FELLOWS for 1967–68 have been selected from 16 Federal agencies. The 22 Federal employees selected will serve as assistants in Congressional offices from mid-November of this year until September 1968 along with a group of college faculty members, journalists, and members of the legal profession. Objective of the program is to provide an opportunity for promising young executives to acquire a thorough understanding of Congressional operations.

Federal employees chosen are: Sylvester B. Pranger and Oral D. Corson, Agriculture; Casper M. Kasparian and Paul D. Mahoney, Army; Thomas K. Latimer, CIA; John G. McCarthy, CSC; Mrs. Diana D. Zentay, Commerce; Charles N. Davis, Defense Intelligence Agency; Hansen S. Long, GSA; Thomas J. Lawler, HEW; Jules V. Tileston and James W. Meek, Interior; Joseph W. Cover and Thomas W. Adams, NASA; Harry M. Bunting, NSA; Francis G. O'Brien and Mrs. Joan M. Jordan, NSF; James H. Hannaham and William J. Cook, Navy; Terence M. Scanlon, SBA; Donald C. Tice, State; and Miss Karen S. Lee, VA.

MARY ANN SEIBERT, of St. Cloud, Minn., has been picked as international Secretary of the Year. Miss Seibert, the first Government employee to achieve this honor, is secretary to Dr. S. B. Lindley, Director of the Veterans Administration hospital in St. Cloud. She was chosen by the International Secretaries Association from a field of 26,000 secretaries all over the world.

—Bacil B. Warren

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